

DISPOSITION: February 8, 1952, Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

DAIRY PRODUCTS

BUTTER

18515. Adulteration of butter. U. S. v. Lakeshore Creamery. Plea of guilty.
Fine of \$1,000. (F. D. C. No. 31589. Sample No. 33076-L.)

INFORMATION FILED: April 16, 1952, Western District of Michigan, against Lakeshore Creamery, Holland, Mich.

ALLEGED SHIPMENT: On or about October 11, 1951, from the State of Michigan into the State of Indiana.

LABEL, IN PART: "Lakeshore Creamery Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 29, 1952. A plea of guilty having been entered, the defendant was fined \$1,000.

18516. Adulteration and misbranding of butter. U. S. v. Merchants Creamery Co., Inc., and Edwin A. Bischoff. Pleas of guilty. Each defendant fined \$3,750. (F. D. C. No. 31580. Sample Nos. 571-L, 573-L, 11706-L, 11707-L.)

INDICTMENT RETURNED: March 5, 1952, Southern District of Ohio, against Merchants Creamery Co., Inc., Cincinnati, Ohio, and Edwin A. Bischoff, president.

ALLEGED SHIPMENT: On or about September 4, 5, and 6, 1951, from the State of Ohio, into the States of Indiana and Kentucky.

LABEL, IN PART: "Kingan's Creamery Butter [or "Forest Brook Brand Creamery Butter"] Packed for Kingan & Co. * * * Indianapolis, Ind.," "Rose Brand Creamery Butter," or "Rose Brand Butter * * * 8 Oz. Net Weight."

NATURE OF CHARGE: 2 lots. Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect fragments, fly fragments, feather barbules, and rodent hairs, and it was manufactured from filthy cream; Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

1 lot. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the wrappers bore the statement "8 Oz. Net Weight" and the packages contained less than 8 ounces of butter.

DISPOSITION: March 31, 1952. Pleas of guilty having been entered, each defendant was fined \$3,750.